

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	6

MR. SPEAKER:

*Your Committee on Commerce and Economic Development, to which was referred House Bill 1190, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT concerning utilities and transportation and
- 3 to make an appropriation.
- 4 Delete everything after the enacting clause and insert the
- 5 following:
- 6 SECTION 1. IC 8-1-13-9, AS AMENDED BY P.L.109-1995,
- 7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 1998]: Sec. 9. (a) The corporate purpose of each corporation
- 9 formed under this chapter shall be to render services to or for the
- 10 benefit of its members and no person shall become or remain a member
- 11 of any local district corporation, defined in section 23 of this chapter,
- 12 unless such person shall use energy supplied by such corporation and
- 13 shall have complied with the terms and conditions in respect to

1 membership contained in the bylaws of such corporation.

2 (b) Corporations may not furnish telecommunications service that
3 is not incidental to the furnishing of other utility services:

4 (c) (b) A corporation may not begin water service in any area
5 unless both of the following apply:

6 (1) The corporation has filed a petition with the commission
7 seeking authority to begin water service.

8 (2) The commission has found after a hearing that public
9 convenience and necessity require the proposed service.

10 In connection with the petition, the commission may adopt conditions
11 and restrictions on the area and consumers to be served that the
12 commission finds consistent with the public interest. The commission
13 may revoke, modify, or amend a finding of public convenience and
14 necessity upon a showing of good cause after a hearing.

15 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **The**
16 **regulatory flexibility committee established by IC 8-1-2.6-4, with**
17 **the assistance of the Indiana utility regulatory commission, shall**
18 **conduct a comprehensive study on the need for, feasibility of, and**
19 **best manner of restructuring the electric industry to allow for**
20 **competition in the provision of electric services.**

21 (b) **The committee must include in its study a review of the**
22 **possible economic and socioeconomic impact of restructuring the**
23 **electric industry on the following:**

24 (1) **Persons who would be affected by the restructuring of the**
25 **electric industry, including the following:**

26 (A) **Electricity providers, including rural and municipal**
27 **providers of electricity.**

28 (B) **Residential and commercial consumers of electricity,**
29 **including residential and commercial consumers of**
30 **electricity produced, transmitted, or distributed by**
31 **rural and municipal providers of electricity.**

32 (C) **Utility workers**

33 (2) **Indiana's coal industry.**

34 (3) **Indiana's property tax system.**

35 (c) **The regulatory flexibility committee shall present its**
36 **findings in a written report to the legislative council not later than**
37 **November 1, 1998.**

38 (d) **The regulatory flexibility committee shall meet on the call**

1 of the co-chairs. The committee may consult with the office of the
2 utility consumer counselor or other independent consultants the
3 committee considers appropriate to assist the committee in
4 performing its duties under this SECTION.

5 (e) There is appropriated from the public utility fund
6 established by IC 8-1-6-1 to the legislative council an amount
7 sufficient to pay for the use of consultants by the regulatory
8 flexibility committee under this SECTION beginning on the date
9 this act takes effect and ending on November 2, 1998.

10 (f) The legislative services agency shall provide support staff
11 to the regulatory flexibility committee.

12 (g) Each member of the regulatory flexibility committee is
13 entitled to receive the same per diem, mileage, and travel
14 allowances paid to individuals who serve as legislative members of
15 interim study committees established by the legislative council.

16 (h) This SECTION expires December 31, 1998.

17 SECTION 3. An emergency is declared for this act.

(Reference is to HB 1190 as introduced.)

and when so amended that said bill do pass.

Representative Bottorff